

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JAMEL DARREL HEGGS,

Plaintiff,

vs

9:04-CV-1217

C.O. CHAKAONAS, Correction Officer;  
STEPHEN ROBERTS, Hearing Officer; and  
DONALD SELSKY, Director of Special Housing,

Defendants.

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APPEARANCES:

JAMEL DARREL HEGGS  
01-a-4428  
Auburn Correctional facility  
P.O. Box 618  
Auburn, NY 13024

HON. ELIOT SPITZER  
Attorney General of the  
State of New York  
Attorney for Defendants  
Department of Law  
The Capitol  
Albany, New York 12224

DAVID N. HURD  
United States District Judge

OF COUNSEL:

BRUCE J. BOIVIN, ESQ.  
Asst. Attorney General

O R D E R

Plaintiff, Jamel Darrel Heggs, brought this civil rights action pursuant to 42 U.S.C. § 1983. In a Report Recommendation dated February 28, 2006, the Honorable Gustave J. DiBianco, United States Magistrate Judge, recommended that defendants' motion for judgment on the pleadings be granted, and the complaint be dismissed in its entirety. The

defendants have indicated they will not be submitting objections to the Report-Recommendation, nor will they be filing a response to the plaintiff's objections.

Based upon a de novo determination of the portions of the Report-Recommendation to which the plaintiff has objected, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1).

Accordingly, it is

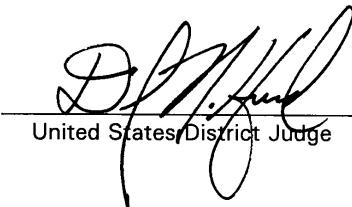
ORDERED that

1. The defendants' motion for judgment on the pleadings is GRANTED; and
2. The complaint is DISMISSED in its entirety.

The Clerk is directed to file judgment accordingly.

IT IS SO ORDERED.

Dated: April 10, 2006  
Utica, New York.



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United States District Judge